





AT LONDON  
IMPATRICIA FELIX RUMCOTE  
1655



*Orders and Constitutions, partly collected out of his Maiesties Letters Patents, and partly by authority, and in vertue of the said Letters Patents: ordained vpon mature deliberation, by the Gouvernour and Company of the City of London, for the Plantation of the Summer-Islands: for the better governing of the Actions and Affaires of the said Company and Plantation. 6. February. 1621.*

---

## THE FIRST PART.

---

*The Company of Summer-Islands*

**I.**  
 The Company of Summer-Islands consisteth of the Free-holders and Owners of Land there. Neuerthelesse, no man shall be admitted into this Company, or haue voyce in any election, or other businesse, in quality of a Free-holder or Owner of Land, that is not Owner of one entrie Share, at the least, of the four hundred and five

shares, into which the eight Tribes of the said *Summer-lands* are diuided. Provided alwayes, that the Owners by Ioynt-tenancy, Coparcinany, or otherwise, as Tenants in common, if the number of their persons exceed not the number of their Shares so held, may be admitted into the said Company, and haue each their seuerall voyces: but if the number of their persons exceed, they shall, or may present one to haue voyce for them all.

## 2.

No man, though hauing right, shall presume to be present at the Assemblies of the said Company, before he be solemnly admitted by the Gouernour or Deputie of the said Company in a Generall Court: which admittance shall neither bee granted, where it is not due; nor denied, or delayed, where it is apparantly due.

## 3.

No person, by reason of minority of yeeres, (hauing otherwise right) shall bee excluded from being present at the Generall Assemblies of the said Company: but yet shall not be admitted to haue voyce in any Election, or other businesse whatsoeuer, till he haue accomplished the full age of eighteene yeeres.

Courts.

Courts.

4. **T**here are four great Generall Courts, commonly called, Quarter Courts, appointed to be held by the Gouvernour, Assistants, and Company for the *Summer-lands*, vpon the four last Wednesdayes of euery Terme; which onely haue, and shall haue power to chuse Officers, as well for the Company here, as also for the Colony and Planters in the *Summer-lands*; to make Lawes and Ordinances; to distribute and dispose of the Lands in the *Summer-lands*, as well for the publique good of the Company and Colony, as also agreeable to euery mans particular right. And lastly, to settle the matter of Trade, for behoofe of the Company and Colony.

II.

5. **E**very Friday before a Quarter Court, shall bee held a Court to prepare all kind of busynesse referred to the power of a Quarter Court to determine.

6.

Euery Wednesday fortnight, reckoning from the great Courts, shall also bee held an ordinary Court for this Company, for dispatch of ordinary and extraordinary busynesse. And it is not to bee counted a perfect Court, vntill the Gouvernour or Deputy bee there, and seuen of the Assistants.

7. It

(4)

7.

It shall bee in the power of the Gouvernour or Deputy in his absence, vpon extraordinary cause, to call an extraordinary Court.

8.

It shall not be in the power of any other then a Quarter Court to make any contract, (saue for the setting out of Ships) whereby either to charge the Company, or otherwise to binde the Company for any continuance of time. In which case it shall bee proposed also in the Preparatiue Court next preceeding.

9.

Publique businesse shall haue precedence in the Courts before priuate, vnlesse there bee extraordinary important cause to the contrary.

10.

If any thing ordered in an ordinary or lesser Court, be afterward reuersed in one of the soure great and Generall Courts, it shall be from thence forward, as though it had never been so ordered.

11.

All Courts shall begin at two of the Clocke in the afternoone, and dissolve at the rising of the Gouvernour, or of the Deputy in his absence.

12.

Nothing shall be put to the question after sixe of the

the clocke in the afternoone: yet by order of the same Court to be made before sixe, the debating and concluding of any particular busynesses mentioned in the said Order, may continue on longer, as the matters then in handling shall require.

13.

If the busynesse for the Quarter Courts grow ver-  
ry great; it shall be in the power of the Gouvernour  
or Deputy, with allowance of the Preparatiue  
Court next preceding, to assemble the Quarter  
Courts both in the forenoones at eight of the  
clocke, and in the afternoones of the dayes appoynted  
for them. Neuerthelesse, in regard the meetings  
in the afternoones haue beeene obserued to bee al-  
wayes farre greater then in the mornings: It shall  
be in the power of the same Quarter Court, in the  
afternoone to disauow and reuise any thing pas-  
sed in the morning; to which purpose the morning  
Court shall be first read.

14.

The Company shall be summoned to the Quar-  
ter Courts, and Courts extraordinary by the Offi-  
cer, but of the ordinary Courts themselues shall  
take notice. And the Secretary shall keepe a Booke  
of the proceedings of the Courts, who with the  
husband, and other Officers shall at all Courts give  
diligent attendance.

15.

It shall be lawfull at a Generall Court, and with  
B  
conscnt

consent thereof, to dispence with all meetings in long vacations, or in such part of them as may bee spared, vnelleſſe ſome extraordinary matter befall. In which caſe may be called extraordinary Courts.

16.

The Gouernour and Company being a Body and Communalty perpetuall, ſhall haue one faire and common legall Seale, to be kept by the Gouernour, and not to be affixed to any Grants or Instruments whatſoever, otherwhere then in publike Courts, or by expreſſe warrant from thence.

---

### *Elections.*

---

III.

AT the Great and Generall Court, commonly called the Quarter Court in Easter Terme, all Officers of this Company ſhall be voyd; and the Court ſhall proceed to Election of new Officers in manner following.

17.

The Gouernour, ſoone after the beginning of the Court to be held in the afternoone of that day, at the giuing vp of his Office, ſhall declare by word or writing, the preſent estate of the Colony and Planters in the *Summer-lands*. And the Treasurer at the ſame time ſhall deliuer into the Court a Booke of his Accounts for the yeere then ended, examined,

examined and approued vnder the Auditors hands: declaring withall the present estate of the Cash: which booke shall lye open in euery Court to bee viewed by all men till the next Quarter Court; and shall then be laid vp in the Chest of the Companies evidences.

19.

This done, the Gouvernour shall leaue his place, and the Court without intermixing of other busynesse, shall proceed to Election of Officers for the yeere ensuing; first of a Gouvernour, then of a Deputy; afterward of the Assistants; next of a Treasurer; after that, of the Auditors: and lastly of the Secretary, Book-keeper, Husband, and Beadle.

20.

At the choyce of each Officer, the persons nominated to stand in Election, shall withdraw themselves, till the party chosen bee publikely so pronounced. And generally, no man shall bee present in the Court, whilst himselfe or his matter passeth the judgement of the Court.

In regard of the waigthy busynesse of this Company, which is also like to increase: no man shall be chosen Gouvernour of the Company of the Summer-lands, who at the time of his Election is Gouvernour of any other Company; except it seeme good for the behoofe of both Companies, that the same man haue the gouernment both of this Company, and of that for Virginia.

22.

It is for waightly reasons thought very expedient, and so ordered, that no man continue in the place of Gouernour, Deputy, or Treasurer of this Company, aboue three yecres at once.

23.

For the auoyding of diuers inconueniences; It is thought fit and so ordered, that all elections of Principall Officers, in, or for the *Summer-Islands*, as also of the Gouernour and Deputy here, be performed by a ballating box, as in some other Companies.

24.

Euery Officer as hee is chosen, shall openly in Court take his Oath, or if he bee absent, at the next Court he commeth to.

25.

The Gouernour, Deputy and Treasurer, hauing no certaine allowance for their cares and labours: the rewarding of these former Officers according to their deserts, is referred to the pleasure of the Court, wherein new Officers are chosen.

*Gouernour.*

the Gouvernour is to keepe the ordinary Courts of the Summer Islands, and vpon cause extraordinary, to call Courts extraordinary: And in all Courts and other meetings, hee is to haue a casting voyce.

26.

## I I I I.

The Gouvernours duty is to keepe the ordinary Courts of the Summer Islands, and vpon cause extraordinary, to call Courts extraordinary: And in all Courts and other meetings, hee is to haue a casting voyce.

27.

He is to moderate the Courts in quality of a President, and to cause grauity, decency and good order to be obserued: and for breach thereof, after a graue admonition first given and preuailing, to proceed to reformation by the iudgement of the Court.

28.

He is to propound and put all things to the question which the Court requires, the same not being contrary to his Maiesties Letters Patents, or Instructions, nor to the Standing Lawes and Orders of the Company; vnder paine of being immediate- ly put from his office, if he refuse: in which case, the Deputy shall doe it vnder the like paine. And if hee refuse, then any of the assistants there present.

29.

The Gouvernour is to haue care that the ex- traordinary Committies appoynted by the Couris

to severall busynesse, doe prosecute the same, and giue seasonable account of their doings to the Court.

30.

He is also to haue an especial care, that no Grant or Patent doe passe from the Company, but vpon examination thereof by a select Committe; who are exactly to obserue the Orders made concerning them. And to this end, with diuers others, hee is to haue a vigilant eye on the Companies Scale, which is to be committed to his custody, that they be not wronged by abusing thereof.

31.

The Gouvernour, vpon receipt of publike Letters, from, or concerning the *Summer-lands*, shall assemble at least four of the principall Assistants to impart them to them, and by their assent shall cause them to bee read in Court, vnlesse there bee some cause of secretie; in which case hee shall communicate them with the Assistants onely. In like sort, the publike Letters and instructions to bee sent to the Gouvernour and people in the *Summer-lands*, or otherwise concerning them, hee shall cause to bee publike read, and approved by the Court or Assistants as the case shall require. And neither hee, nor any other, shall of his owne head or authority, write, or send any directions swaruing from such as the Court or Assistants shall giue, vpon paine to be suspended from the Court for ever.

32. The

32.

The Gouernour shall assemble the Principall Assistants whom the Court shall particularly assigne to assist him, vpon all waughty occasions requiring serious deliberation: and shall haue care with them, that the Lords of his Maiesties Privie Councell be acquainted with all matters of extraordinary and greatest importance concerning the State.

33.

He is to doe his best, that fit men bee chosen to the place of Assistants, and being chosen, is to haue care that they take their Oathes.

34.

The Gouernour is to haue care also, that the generall Assistants keepe their Courts with the Deputie, vpon all occasions of busynesse.

35.

The Gouernour at his pleasure shall sit in any Assembly, either of the Assistants, or other Committees ordinary, or extraordinary; vnlesse the matter happen to concerne himselfe particularly.

Deputy

**Deputy.**

V.

For matter of the Courts, in the Gouvernours absence the Deputy shall performe his Office, and in his presence be assisting to him.

36.

He shall ouersee the Secretary for entring the Orders of Court, and shall giue instructions for the writing of Letters as he shall be directed, and haue care that accordingly they be written.

37.

The Deputy shall also keep the Courts of Assistants vpon all occasions requisite, and at his pleasure shall also sit in any Assembly of Committies ordinary or extraordinary, vnlesse the matter concerne himselfe: and in all these, in the Gouvernours absence, he shall haue a casting voyce.

38.

He shall suffer no warrant to be made and signed for issuing out of money, but in the open Court of Assistants, after due examination of the Cause: vnto all which warrants his owne hand shall bee first set, and after it, other foure hands or more of the Assistants. And the Deputie and Assistants shall not intermeddle with Disbursements for any other charges

charges, then such as arise within the compasse of their owne yere.

40.

When a Warrant is directed to the Treasurer to pay any grosse Summe to the Deputie, to be issued out by him and the Assistants for the vse of the Company: in that case it shall not be requisite, that the Deputies hand be to the Warrant, so it be to the recet.

41.

Generally the Deputy shall ouer-see all inferiour Officers, that they performe their duties.

### Assistants.

42.

The Assistants being to bee foure and twenty, and to be yerely chosen; there shall be a yearly alteration made of one fourth part at the least; to the end many be trained vp in the busines: to which end, the six new Assistants shall be first chosen.

VI.

43.

The Assistants Office is, together with the Deputy, to performe the orders of Courts, for setting out Ships, and buying prouisions for the *Summer-lands*; wherein especiall care is to be had, that neither the husband, nor any one man alone bee in-

C

trusted

trusted with the making of those prouisions: but two at the least, to be appoynted thereunto by the Deputy and Assistants in their Court; who shall also bring in their bils and accounts, to bee examined and approued by the Assistants. The like care shall they haue at the returne of Ships from the *Summer-Islands*, of the Goods belonging to the Company, to bee safely kept and sold to the best aduantage, either in Court, or otherwise by the Courts direction. The accounts of all which, shall be transmitted to the Auditors; and the money remaining, returned to the Cash. The Deputy and Assistants shall also haue care, of the Invoyses to be made for the prouisions sent to the *Summer-Islands*: and of the Certificates of the receipt to be thence returned: as likewise of the Invoyses of the Goods sent from the *Summer-Islands*. All which shall bee registered fairely in a Booke.

## 44.

The Assistants shall diligently keep their Courts, whensoever occasion of busynesse shall require. They shall bee summoned by order from the Gouvernour or Deputy: and it shall not bee counted a Court of Assistants, vnlesse the Gouvernour or Deputy with sixe Assistants be present. The Secretary of the Company shall keepe a Booke also of their proceedings.

Principall

## Principall Assistants.

45.

After choice of the four and twenty Assistants, sixe of them shall be selected by the Court, to be of counsell with the Gouernour, or Deputy in his absence, in all matters of importance concerning the *Summer-lands*: and they shall haue the name of Principall Assistants; but their power shall be onely to deliberate and advise; but not to conclude, without the rest of the Assistants, or the generall Court, as the case shall require.

VII.

46.

The Principall Assistants are to assemble vpon all important occasions, being requested by the Gouernour or the Deputy in his absence. And in defect of both, being desired by the Court: and without fauour or displeasure, private or sinister respect, to give their faidfull aduice in all matters tending to the aduancement and benefit of the *Plantation*; and especially touching the making of Orders and Constitutions for the better gouerning, as well of the Company heire, as also of the Colony planted in the *Summer-lands*, wherein the policy and forme of *England* is to bee followed as neare as may be.

47.

The Principall Assistants, together with the Gouernour

uerour and Deputy, shall haue an especiall regard, by pious Constitutions, and by other good politique Lawes and Orders, to hold the people there in the true Religion and seruice of God; and in assured alleagiance to his Maiesty and the Crowne of *England*; in due respect also to this Company for the *Summer-Islands*; and in iustice, peace, vnitimity, and amity, amongst themselues.

48.

They shall also haue care of the Instructions to be deliuered, or sent from time to time to the Gouernour, or other Principall Officers in the *Summer-Islands*: and shall haue an eye vpon the due obseruance of the same.

49.

If any Principall Officer of the Company here, or Magistrate, great Officer or Councillor in the *Summer-Islands*, shall by the same of his misdeserts, or particular occasion, merit to bee called in question heere of being remoued from his place, or otherwise reformed or censured: he shall be first conuented and examined by the Gouernour, Deputy, and Principall Assistants, before his cause bee produced in publike Court: and in his absence the like course shall be held for his busynesse.

50.

The Principall Assistants, in consideration of this their greater imployment, shall not bee tyed to attendance at the Courts of the generall Assistants,

sistants, other then at their owne leisure and pleasure.

### Treasurer.

The Treasurer shall stand charged with the publicke Treasure of the Company, and is to haue care that it be duely got in, and not issued out, but by lawfull warrant, and to the Companies vse.

### VIII.

52. A lawfull warrant for charges of the present yeere, is that which is signed by the Deputy and four of the Assistants, vntesse the money be to bee paid to the Deputy himselfe; in which case the warrant shall be signed by sixe of the Assistants: and for former charges and debts, that which is signed by three of the Auditors, whereof one to bee of the Quorum; and vnderneath, or vpon the backe of e-very Warrant, an Acquittance shall bee taken for the Recet vnder the parties hand.

53.

The Treasurer is also to yeeld vp a true and perfect account of the generall Cash at the end of his yeere, and to bring it in a fortnight before, to the Auditors to be examined; and at all times, being requested by the Auditors or Assistants, to shew in what case the Cash doth stand.

54.

If any complaint or suspition grow concerning the account, a review shall be made by twelue chosen by the Court, and the account being accepted and approoued by the Court, the *Treasurer* shall haue his *Quietus est*, vnder the Companies Seale at the Quarter Court in Trinity Terme then next insuing.

---

### Auditors.

---

55.

IX. The Auditors shall be fiue; whereof one at the least of the Principall Assistants, and two of the *Quorum*.

56.

The Auditors shall haue care of the generall accounts, to examine the Receipts and Disbursements according to the Orders of the Company: and in all cases of difficulty, or of breach of these Orders, they shall acquaint the Gouernour, and the generall Court therewith; and from thence receive resolution, and direction.

57.

They shall also cause to be reduced into a fewe-  
rall booke, the whole Receipts and Disbursements  
of that yeere; and the same vnder three of their  
hands

hands at the least, (whereof one to be of the Quorum) shall bee presented by the *Treasurer* at the Quarter Court in Easter Term, at the giving vp of his and their Office.

58.

They shall signe no Warrants for the issuing of money, but onely for old charges or debts, that is to say, due before that yeere of their Office; and that not otherwise, then after due examination of the matter had in their appoynted meetings. Vnto which Warrant shall bee first set the hand of one at the least of the Quorum, and then of two other or more of the rest of the Auditors.

59.

The Auditors shall also employ their best industry and care, for the recoverie of the old Debts due to the Company, and their Receipts shall transmit to the generall Cash.

60.

And touching the old accounts now depending in Audit, that is to say, from the beginning of the Plantation, till the ninth day of May 1621. the Auditors shall proceed in the examining and reducing them to order, and to the finall auditing of them, with what expedition they well can; and shall from time to time acquaint the Gouvernour, Deputy and Court, with such impediments and difficulties as shall be incident.

61. The

(20)

61.

The Auditors shall keep their meetings once at the least in a week in Terme time, or oftener, if need require; and once euery moneth at least in the vacation times, to oversee the accounts, and to dispatch such other businesse as shall be committed to them.

62.

They shall also haue the authority of the Court, to call before them such persons as are indebted or accountable to the Company. To which end the Beadle shall attend vpon them: who shall be rewarded for his trauell at the pleasure of the Court.

---

## Accounts.

---

63.

X.

NO Auditors extraordinary, shall presume to intermeddle with the auditing of any account, wherein the Body of the Company is interested; but being appoynted in the face, and with the approbation of the Court.

64.

All Accountants whatsoever, and Auditors extraordinary, if the Court so require, shall haue an Oath ministred vnto them in the face of the Court; the

the one for true accounting, the other for true auditing.

65.

No account shall bee held cleared, nor Accountant discharged, till the account being approued vnder the Auditors hands, bee presented to the Court, and there lye openly in Court two Court dayes, to bee viewed by any that are so disposed.

66.

If exception bee taken to any account whatsoever, the Court shall proceed to review, as in like case of the Treasurer. If no exception bee taken in the two Court dayes, or vpon the review returned, and the account approued; the Gouernour then, or Deputy in his absence, shall signe the account in open Court; whereby the Accountant shall bee clearly discharged.

67.

If any Officer, or other Accountant bee slow in bringing in his accounts to the Auditors ordinary or extraordinary; or within one moneth after his account is perfect, doe not pay the Cash the due Summe remaining, vniessle the Court see cause to giue longer time: the Auditors or Treasurer shall impart the same to the Court, that order be thence giuen for redresse thereof.

68.

If any man be found indebted to the Company by any meanes whatsoeuer, and being required, shall refuse or forbeare to pay the said Debt: the same shall be levied vpon such profits and commodities, as hee either hath in the Summer-Islands, or shall be returned hither from thence; wherein hee shall stand to the iudgement of the Court.

---

*Secretary.*

---

69.

X I. **T**He Secretary shall attend the Gouvernour and Deputy, in such seruice of the Company, as wherein they shall haue cause to use him. And besides the generall Courts, hee shall of duty attend the Courts of Assistants, and keepe feuerall Bookes of their proceedings. The Principall Assistants, Auditors, and Committies extraordinary, he shall then also attend, when, and so often as hee shall be therunto required.

70.

He shall be bound by oath to keepe secret all matters of secrecie; and not to discouer the proceedings of the Principall Assistants, and Committies extraordinary, till such time as themselves shall publish the same.

71. The

71.

The Secretary, vpon reference of any busynesse from the Court to a select Committie, shall giue a note to the Officer, containing the busynesse, time, and place.

72.

His Office is also to be a Remembrancer to the generall Courts, and to the Courts of Assistants, for the prosecuting and performing of matters formerly ordered; as also touching Motions formerly made, and referred to speciall Committies, or other further consideration.

73.

If at any time a generall Court shall order any money to be issued out of the Cash, the Secretary vnder his hand shall deliuer a Copy thereof to the Auditors, if it be of old Debts; and if otherwise, then to the Deputy and Assistants, who respectively shall vnder that Order, make their warrant for payment of that money, vnlesse they finde the Court, by wrong information, to haue been abused and deceipted in that order; wherof at the next Court they shall giue aduertizement.

74.

The Secretaries Office is to keepe the Bookes of the Company, and fairely, and orderly to enter in them the particulars heere-vnder expressed, and in such manner as hee shall bee directed by

the Gouvernour, Deputy, or Auditors. First, a Booke containing the Copies of the Kings Letters Patents to the Company: Likewise of all Grants from the Company for *Virginia*: Also of all Letters, Orders, Directions, and other Writings from his Maiesty, the Lords of the Councell, and other great Officers, concerning the Company and Affaires of the *Summer-Islands*; together with the answeres made vnto them.

75.

A second Booke shall bee kept of all the Lawes and Standing Orders established henceforward in the Quarter Courts, and beginning with this day; as well such as concerne the Gouvernment of the Company and businesse heere, as also the Gouvernment of the Colony and Affaires in the *Summer-Islands*.

76.

In a third Booke shall bee registered all the Patents, Charters, and Indentures of validity, heretofore granted, or that hereafter shall bee granted by the Gouvernour and Company; all Instructions; all publike Letters written to the *Summer-Islands*, or from thence returned.

77.

A fourth Booke shall bee of the Acts of the generall Courts, beginning with a new Booke at the Quarter Court in Easter Terme last. In which Booke, vpon any cause controwerted and debated,

the Secretary shall haue care to set downe exactly, the resolution and conclusion of the Court, together with the principall reasons inducing thereunto: but shall not set downe other passages of speech, nor the parties names that were of other opinion.

78.

A fifth Booke shall bee of the Acts of the Assistants, beginning from the same Court. In which Booke shall be registered all Invoyses of the prouisions sent to the *Summer-Islands*, and the Certificats of the Receipts to be thence returned: as likewise the Invoyses of the Goods sent from the *Summer-Islands*, with the Husbands Certificats of the receipt or defect.

79.

In the sixth Booke shall be registered the names of all the Adventurers and Owners of Land in the *Summer-Islands*, together with the number of Shares to each person belonging, according to the severall Tribes wherein they are placed. Here shall also bee entred the lawfull transports of Shares. Both which shall first bee published and allowed in a generall Court, and not registered in this booke, but by direction from thence.

no 132 folios 32.1

80.

The Secretary shall also keepe safe in the Companies Chest of Evidences, the Originals of all the Letters Patents, and other writings aforesaid mentioned:

tioned: all the booke also aforesaid: all the Gouvernours and Treasurers booke of their yeerely accounts: the Husbands booke of accounts of euerie voyage to the *Summer-Islands*: and all other accounts perfected and approued by the Auditors. In the same Chest shall bee kept all Charter-parties, as well cancelled, as vncancelled: all bonds made to the Company, or for their vse: and all bonds of the Companies, discharged and cancelled: and all other writings and muniments whatsocuer belonging to the Company: and the Secretary shall deliuer out none of the Companies writings, but by direction from the Gouvernour, Deputy, or Court, taking a note of the parties hand for the true restoring of them: and in conuenient time hee shall make Calenders of all the foresaid writings. The said Chest of Evidences shall haue two strong lockes to it: the key of the one shall bee kept by the Gouvernour or Deputy; and the key of the other by the Secretary.

## 81.

The Secretaries Salary shall be for the present, ten pounds *per annum*; and when the publike Land shall be thorowly planted, then twenty pounds; and of his paines extraordinary, the Court shall take consideration.

Book-

order to be made on such a day, as shall be by the  
Auditors before the 1<sup>st</sup> of January next.

## Booke-Keeper.

**T**he Booke-keeper, at such time as hee shall bee  
be found so to bee necessary, shall be directed and  
ordered by the Treasurer and Auditors; and shall  
receiue his Salary in the Quarter Courts, as the Au-  
ditors shall report of his paines and deserts.

XII.

82.

The Booke-keeper, vpon conference with the  
Secretary and the Husband, and they two in his  
defect, shall in euery Quarter Court present openly  
to the Gouernour, a true note of the Debts, both  
owing by the Company, and ought vnto them; to-  
gether with the ground from whence they are re-  
sen; that the Court may take order for the discharge  
of the one, and recovery of the other.

IIIIX

**Husband.**

83.

**T**he Husband is to bee ordered by the Gouer-  
nour, Deputy, and Assistants; and to keepe his  
accounts in exact and iustifiable manner: and to  
bring them from time to time to the Deputy and  
Assistants, to be first examined there, and approued  
vnder

XIII.

vnder their hands, and then to bee presented to the Auditors.

85.

He shall at the end of euery voyage set out by the Company, make a severall booke of the charges of that voyage, to be presented by him to the Auditors, and by them to the Court. His wages for the present shall be tenne pounds *per annum*; and twenty pounds, when the publike Lands shall bee thorowly planted.

**Beadle.**

86.

XIIII. **T**He Beadle or Messenger is to bee at command of the Gouernour, Deputy, and Courts: He is to warne all Quarter Courts, and Courts extraordinary; all meetings of the Assistants, and of all select Committies. His wages tenne pounds *per annum* for the present, and twenty pounds when the publike Lands shall bee thorowly planted.

**Generality.**

## Generality.

87

The particular Members of the Company, shall bee subiect to the generall Courts, in matters concerning the Company or Plantation. If any man find himselfe agreeued by a lesser or ordinary Court, hee may appeale to a great and Quarter Court: where the matter shall be heard and finally ordered. If any man refuse to obey both the Court and other, he shall be suspended from the Courts for three yeeres, and so much longer till hee submit himselfe to the order of the Court.

XV.

88

Every man speaking in Court, shall addresse his speech to the Gouvernour, or Deputy in his absence, as representing the Court. And all priuate speech, or directed to particular persons, shall bee forborne.

89

No man in one Court shall speake aboue thrice to one matter: saue the Gouvernour, and the Deputy being to moderate the busines.

90

No man with his speech shall interrupt the speech of another, before he haue finished: except the Gouvernour, or in his absence the Deputy, ( with approbation of the Court ) see cause to

E

put

(30)

put any to silence for impertinency, or other vn-  
seemely speaking.

91

If any man be found by sinister course, to practise  
his owne aduantage, to the damnyng of the pub-  
like; or be found with the Companies money or  
goods in his hands, and refuse to deliuer the same  
being lawfully therunto required: If being sum-  
moned to the Court, hee refuse to appeare: or ap-  
pearing, performe not the order of the Court, hee  
shall be both suspended from the Courts, and far-  
ther proceeded against, as an vnworthy member and  
wrong-doer to the Company.

92

If any man out of euill mind, practise to rayse  
faction or dissention in the Company: he shall for  
the first time be admonished by the Gouvernour and  
the Courts; and at the second time be suspended  
from the Courts for three yeeres.

93

Whosocuer shall attempt by priuate solicitati-  
on to packe the Court to any vniust or vnlawfull  
end: he shall vpon complaint be conuened before  
the Gouvernour and Principall Assistants; And be-  
ing conuicted thereof by iudgement of the Court,  
hee shall bee suspended from the Courts for three  
yeeres.

94 If

94

If any man be found through corrupt reward, to make a motion in the Court, tending to the publicke hurt, or to the priuate wrong of another: hee shall bee foorthwith suspended from the Courts for euer.

95

No man shall presume to intercept letters, written by or to the Gouernour or Company, or to spread false rumours vpon sinister intent, to the wrong of the Gouernour, Company or Colony. The offender shall bee suspended from the Courts for euer.

96

No man shall traduce any member of this Company in the Court of any other Company, for any thing done or spoken in this Court. The offender for the first time shall be admonished; for the second, suspended from the Court for one yeare; and the third tyme, for more yecres, as the Court shall thinke meete.

97

To auoid the drawing of the Company into debt henceforward, It is ordered that no man, other then the Gouernour or Deputie, by the aduice and assent of the Principall Assistants, make or propound any new project of charge to the Company: but that he therewithall offer good meane

to defray that charge, and vphold his project, in such sort that the Company bee never drawne againe into any further Debt. And the breakers of this Order, shall bee excluded from the generall Courts, and from hauing voice or bearing Office for one yeere after.

If any man mooue for any charge to the Company by way of gift in what sort soeuer: It shall be first referred to a select Committie: And if the charge doe not exceede ten pounds, it may be ordered by the next Court: If aboue, it shall be referred to the Quarter Court ensuing.

It shall not be lawfull for any Owner of Land, to sell or transport his Shares to another, otherwise then in open Court: And not before it do appeare vnder three of the Auditors hands, that the partie transporting his Shares stand cleare, and bee not indebted to the Company; or the partie to whom they are passed, pay the said debt.

### Lawes.

**XVI.** **N**o Lawes or standing Orders shall be made by the Company, otherwise then in this manner. First, after the propounding of them in Court, they shall

shal be referred to the discussing of a Select Committee: the Committees shal present their labours to the view of the Assistants: The Court of Assistants approving them, they shall bee brought to the Court of Preparation next before the Quarter Court, and there openly read: And lastly they shall passe the Judgement of the Quarter Court.

101

The Lawes and Orders thus made, shall bee fairly registered by the Secretary in a Parchment book: which he shall bring in every Court, and lay on the Table, that all men may peruse them that are so disposed.

102

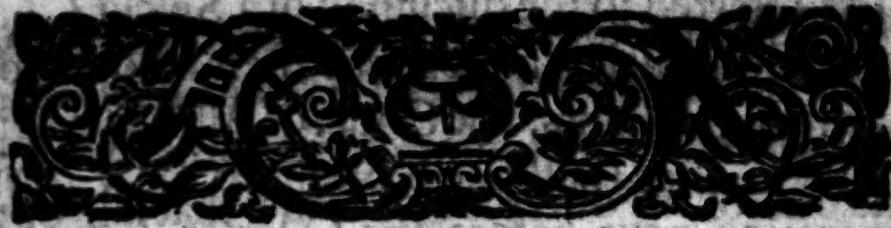
In the Quarter Court in Hillary Terme, all Lawes and Standing Orders concerning the Company here, shall bee publikely read in the beginning of the Court, till such time as it shall seem fit to haue them printed.

103

The abrogating of a Law or Order, shall proceed by the same degrees, by which the making.

104

All Orders heretofore made repugnant or swaruing from these, shall be henceforth void.



*Orders and Constitutions for the  
Summer-Islands, &c. presented to the  
Quarter Court held the 6. of February,  
1621. and finally enacted and esta-  
blished in the Quarter Court held the  
29. of May, 1622.*

---

## THE SECOND PART.

---

### *Land in the Summer-Islands.*

---

105

XVII.



He Land in the *Summer-Islands*, is partly publike, partly priuate. The priuate Land is diuided into eight Tribes, ly-  
ing from the common Land, in this  
order: Namely, *Harington* and *Hamil-  
ton* Tribe, *Smythes* Tribe, *Devonshire* Tribe, *Pem-  
broke* Tribe; *Pagets* Tribe, *Warwick* Tribe, *South-  
hampton* Tribe, and *Sandys* Tribe. Each of these  
Tribes is subdivided into fiftie shares belonging to  
particular owners: saue that two shares in *Pem-  
broke*

broke Tribe are appropriated for ever in quality of Gleabe Land to the Minister. To Southampton Tribe there haue beene also annexed five other Shares or parts out of an ouerplus of Land that fell out in the Division, three whereof haue beene giuen by the Company to one of the Gouvernours in the said Summer-Islands: And the other two are appropriated for ever in qualitie of Gleabe Land to the Minister.

and Land privy to them 106

The little Islands and spots of Land scattered about these Tribes, and not appropriated to any Tribe at the admeasurment of the Land as parcell of the same, shall lye in common to the vse of al the eight Tribes: But the spare Land lying neere the fresh water in every Tribe, shall bee diuided in proportion to euery share, and shall be orderly layd out for the building of houses, and for gardens and other easements to bee adioyned to them, that the people may liue more comfortably as in Townes together.

and in and sooth ent 107

All the residue of the Land, with the little Islands and spots adioyning, is and shall for ever continue publike Land; that is to say, The Land of the Gouvernour and Company of the City of London for the Summer-Islands and shall not be alienated from the Bodye of the laid Company, or subdividid amongst the said Company or any part thereof. Save that two hundred Acres of the Island, called

Davies

Davies Iland, shall bee annexed to *Harrington* and *Hamiltons* Tribe, to make recompence for the al-  
leaged sterility of the Land in that Tribe: and ex-  
cepting such other Lands, as haue been already law-  
fully alienated or granted by former Quarter  
Courts, if any such be.

Neuerthelesse, the publike Land shall receive the diuision insuing, for publike vses and seruices. Fiftie acres next to *Saint Georges* Towne, shall bee appropriated for euer in quality of Glebe Land to the Minister: and fifty other acres next to *Harington* and *Hamiltons* Tribe, in like sort to another Minister. The Gouvernour of the *Summer-Islands* there residing, shall haue allotted to him and his Successors, twelve shares of Land, containing three hundred acres: which Land shall lye together in *Saint Georges* Iland, and shall begin at the poynt next *Penistons* Iland at the East, and so shall take all the Land before it from Sea to Sea; saue that the fifty acres belonging to the Minister, shall lye neare to the Church and Parsonage house; and the Gouvernour shall take charge of the three Forts in his owne Land. The Sheriffe shall haue also allotted to him and his Successors there residing, foure shares of Land, containing one hundred acres, next adioyning to the Gouvernours Land. And the Secretary shall haue two shares, containing fifty acres. There shall be also allotted to the Captaines of the other Forts, eight shares of Land, containing in the whole, two hundred acres, viz, to the Captain of the

the two Forts in Penistons Iland, two shares: to the Captaine of the Fort toward Saint Daniells Iland, two shares: to the Captaine of the Fort on Coopers Iland, with a platforme ouer against the Forts on Gurnards Head, two shares: and to the Captaine of the Forts at the Gurnards Head, two shares: which shares of Land shall be laid out of good Land, and in places most conuenient for the Officers aforesaid: all the residue of the publike Land, shall be occupied for the vse of the generall Company; and to defray the publike charges for the safegard of the said Summer-Islands; and in workes for the generall good of the Inhabitants thereof, according as the said Company shall appoynt.

## 109.

The Gouernours Land, at the charge of the Company, is to be furnished with two Tenants to every share. In like sort the Lands of the Sheriff, and of the Secretary, and the Glebe Lands of the four Ministers; the Lands also of the four Captaines of the Forts aboue specified. And it shall not be lawfull for the said Gouernour, Sheriff, Ministers, Secretary, Captaines, or any of them, to let out his or their Tenants to hire, or to employ them elsewhere, or otherwise, then in occupying of the said Lands respectively, vnder a grievous penalty to be inflicted vpon the Offender by the iudgement of a Quarter Court. And the Gouernour, Sheriff, Ministers, Secretary, and Captaines aforesaid, and their Successors forever, shall at the yeeling vp, or leaving of their places, be it by death,

F

OR

or otherwise, leave the like number of Tenants to their Successors, as shall be left unto them from their Predecessors, or as they shall have received from the Company.

110.

For the benefit and better encouragement of all Handicrafts men necessary for the *Summer-Lands*; it is granted and ordered, that every Shipwright, Carpenter, Joiner, Mason, Brick-maker, Brick-layer, Smith, Cooper, Sawyer, and all other of like necessary Handicrafts, that shall goe to the *Summer-Lands* to inhabit vpon the publike Land, and there to exercise their Handicrafts, shall haue two acres of the said publike Land set out vnto each for an House and Garden, paying the yeerely rent of two shillings, at the feast of Saint *Michael* the Archangell, to continue in like sort to them, their heires and assignes; vpon condition that they continue also the exercise of some Handicraft occupation, and wholly forbeare the planting of Tobacco vpon the same Lands, and not otherwise.

111.

If any Handicrafts men aforesaid, shall desire to be placed in any of the Tribes, it shall bee lawfull for any Owner in every of the said Tribes, to demise vnto any of the said Handicrafts men, two acres of his Land, or a lesse quantity, but not aboue, for such yeerely Rent as they shall agree on; vpon condition that the said Handicrafts man continue the exercise of his said Trade, and wholly forbeare the planting

planting of Tobacco vpon the same Lands, and  
not otherwise.

112.

All the Lands in the *Summer-Islands*, as well pub-  
like, as priuate, shall bee occupied to halfe profits,  
betwetne the Owners, and the Occupiers; except  
the Lands granted or demised to the said Handyc-  
rafts men, and such Proprietors as themselues shall  
inhabit vpon their owne Lands, and such other as  
shall be here vnder excepted: And all other Con-  
tracts shall be voyd.

113. Yet no children, or young men, vnder the age of  
twenty and one yeeres, shall share by halffes, in the  
profits as other men doe, nor use vpon Thares by  
themselues; but with Masters of families; there  
being found to them diet, lodging, and apparell  
conuenient, with some other ycerely allowance of  
profit, according to their abilities and deserts. And  
if any owner of Land shall contract with his ser-  
vant or Apprentice, to serue him at any other rates,  
and not at the halfe profits, till the said servant or  
Apprentice shall haue accomplished the full age  
of twenty fourc yeeres, the said Contract shall stand  
in force and validity.

114. The Gouernour, and other Officers, shall take  
care for the preseruation of the breed of Birds, by  
referring to them those Islands wherunto they re-  
corne.

sort. Also for preseruacion of the young Tortoyse, by such orders, and vnder such penalties, as by the generall Assembly hereafter to be spoken of shall be set downe.

115.

They shall also haue especiall care of the preseruacion of Timber, that no waste be made thereof. And in particular, that no man presume without the Owners consent vnder his hand and seale, to cut downe young Cedar trees, before they be come to their growth, vnder a grieuous penalty, to be affessed at the discretion of the said Gouvernour and Councell. Neither shall they suffer any Timber, Boords, or Plankes, to be transported out of the said Islands, without especiall warrant from the Gouvernour, and Company heere.

116.

Car also shall bee taken, that all sorts of Trees, which defend the Islands from winds and tempests, bee preserued and maintained: and where decay hath been, that young Plants be there set and cherisched.

117.

All Grants from the Company, of mens priuate Lands in the *Summer-Islands*, shall passe vnder the common Seale of the Company; which shall bee sufficient Evidence for their said Land: prouided, that both the Grantees, and they from whom they deriue their estate, before the affixing of the said common

common Seal to their Grants, stand cleare from being any way indebted to the Company.

118.

No man may be Owner of more then ten shares of Land in the *Summer-Islands*; except it shall please a Quarter Court, to grant liberty vnto any man for five shares more, or vnder, but not aboue: which Grant must bee confirmed also by the Quarter Court next ensuing. The Transgressor of this Law, either directly or indirectly, shall forfeit his shares exceeding the lawfull number, to the Company. But if they accrue vnto any man by discent or Legacy; in those cases there shall bee granted vnto him the liberty of twelve moneths, to alienate the shares exceeding the lawfull number.

119.

All Grants of Land and Liberties in the *Summer-Islands*, shall be passed by Indenture; the counterpart whereof shall be sealed by the Grantees: and the Secretary shall haue the ingrossing of all such Indentures.

120.

No Patents, or Indentures of Grants of Lands in the *Summer-Islands*, shall be sealed with the Companies Seal, but being read and approued in a Quarter Court: the same hauing been also first examined and allowed vnder the hands of a select Committee for that purpose.

121.

No liberty shall be granted, tending to the exempting of any man from the authority of the Gouvernour or Sheriff of the Summer-Islands, or of the Councell or Courts to be there established, in any case of Treason, Rebellion, Sedition, Heretie, or Schisme; or vpon any duty to be performed for the necessary defence of the Countrey, or for the preseruacion of the publike peace, and suppreffing tumults within the Land, or for Trials in matters of Justice, by lawfull orders to be from hence deliuered; or in cases consented vnto, as well by a Generall Assembly of the Colony there, as by the Company heere in a Quarter Court. And all Grants swaruing from this Order, shall be deemed vnlawfull and surreptitious.

122.

In all Grants of Lands, a fifth of the Royall Mines of Gold and Siluer shall be reserued to the Company, as another fifth is already reserued to the Crowne.

123.

There is also, and shall be for euer reserued to the Company, the Moity of all lawfull wrecks; and the other Moity shall be to the Recoverers. But if the wrecke be driuen within the bounds of any particular mans Land; the Recoverers shall yeeld to the Owner of the said Land the one halfe of their Moity.

124. There

124.

There is likewise, and shall bee for euer reserved to the Company, a fifth part of all the Ambergreece that shall be found; and the rest shall be diuided equally betwene the finder, and the Owner of the Land where the same is found; save that three shillings four pence vpon euery ounce of the said Ambergreece, shall be allowed to the Gouernour of the said Islands. And whosoeuer shall not discouer to the said Gouernour and Sheriffe, and some one other of the Councell, the true quantity of the Ambergreece so found, within five dayes after the finding of the same, shall forfeit his owne entire part to the Company, and be subject to such other punishment as the generall Court shall award.

125.

In all Patents or Indentures of Grants of Lands, the Grantees shall covenant to employ their people in reasonable sort in Staple Commodities, and not wholly or chiefly about Tobacco.

All Grants of Lands shall be made with equall fauours, and Grants of like liberties and immunitiess as neare as may bee; to the end that all complaint of partiality or vniindifferency may bee prevented.

Officers

## Officers in the Summer-Flands.

127.

XVIII.

ALL Principall Officers in the *Summer-Flands*, and namely, the Gouernour, Sheriffe and Secretary, shall bee chosen heere by Ballating in a Quarter Court.

128.

The Ministers, and the Councell established in the *Summer-Flands*, and all other Officers there referred to the choyce of the Company heere, shall bee chosen in a Quarter Court by onely election of hands; vniuersall the Court desire to haue it passe by Ballating.

129.

The Comissions to all Officers there, excepting Ministers, shall bee onely for three yceres in certaine, and afterward during the Companies pleasure: onely the Gouernour shall, vpon no occasion, hold that place aboue sixe yceres together.

130.

The Company here shall not bee charged with the maintenance of the Officers there: But they shall be maintained there, out of the publike Lands, or by such other meanes as shall bee heereafter set downe.

Gouernour

## Gouvernour in the Summer-Ilands.

131.

The Gouvernour to be sent to the *Summer-Ilands*, shall be chosen a man well-affected in Religion, and zealous of the service of God; a Person discreet, industrious, moderate, iust, and valiant. His Commission is to bee for no longer time then three yeeres, to bee counted from the date of the same. Neuerthelesse, his said Commission is not to take effect, till the expiration, or other determination of the Commission to a former Gouvernour, or till the deliuerie thereof to the new elected Gouvernour; either here in *England*, or in the said *Summer-Ilands*, as the case shall require. Howbeit it is, and shall be lawfull, by a new and solemne Election in manner before set downe, to continue the said Gouvernour in his place of Government for longer time, according to his deserts; so as the same exceed not sixe yeeres in the whole together. And if it happen that the Commission to any such Gouvernour, expire before the arriall of his lawfull Successor: In that case hee shall continue still in his place of Government, till such time as his said Successor shall arrie therto: Immediately whereupon he shall yeeld vp the Government to him.

XIX.

132.

The Gouvernours duty is to haue a vigilant eye  
upon

upon the strength and safegard of the Ilands, both from forraigne Inuasion, and intestine Mutinies. In which case hee hath authority to exercise Martiall Law, according to the manner and forme limited by his Maiesties Letters Patents.

133.

It is also his duty to haue an eye vpon the Ministers; as well that the people performe their duty toward them, and vsfe them with all due respect and reuerence; as also that they performe the duty of their place, in duly obseruing the solemne Divine seruice, and training vp the People in the true feare of God, and obseruance of his Commandements; In assured allegiance also and duty to the King, his Heires and Successors: In obedience also to all other subordinate Gouvernours and Government, placed ouer them by authority derived from his Maiesty: And lastly, in a fraternall loue and vnyty among themselves. In all which, the example of the Magistrates and Ministers, will bee of more force then any other perswasion whatsoeuer.

134.

It is the Gouvernors Office, to haue care of the due administration of Iustice to all the People, as well in cases Criminal, as Ciuill: wherin the equity of the Lawes of *England*, & forme of administration of Iustice here vsed, is to bee followed as much as may be: Neuerthelesse the Gouvernour of himselfe alone shall not make any order in Causes litigious, without both parties consent: but shall heare and deter-

determine Causes with the Counsels assistance and assent, in such manner as shall bee hereafter set downe.

135.

In all Causes ciuill brought to the Gouvernour and Counsell at the first instance, they may proceed to hearing and determining therof in their ordinary sittings. But if it be brought to them by appeal from some other Inferiour Officers; Or if appeal be made from themselves; the Tryall thereof shall bee referued to the next Generall Sessions.

136.

The Gouvernour shall not proceed as of himselfe alone, to the Corporall punishment of any man, other then three daies imprisonment. If the crime deserue higher punishment, hee shall proceede by the aduise and assent of the Counsell. Provided alwaies, that matters of Treason, Murder, and Felony; also of Forgery, Periury, Conspiracy, and such like, be referued to bee tryed at the next Generall Sessions, according to the Lawes and formes of Triall vsed in this Realme.

137.

The Gouvernour in the *Summer-Islands*, hath power granted by his Maiesy, to minister a formall Oath to any person there whosoeuer, for the examination, testifying and clearing of the truth in any cause whatsoeuer, as well concerning the *Plantation*, as any other particular businesse there arising,

ing for the maintenance of Peace and Justice a-  
mongst the Inhabitants. Of which power he shall  
make vse there, in all such causes, and to all such  
persons, as the like is done by the Judges and Justi-  
ces of this Realme.

138.

The Gouvernour shall not suffer any man to de-  
part from the *Summer-Islands*, against whom there  
is any cause or suit in Law depending; vniuersall  
the Defendant shall first substitute an Attorney suffi-  
cient to answere and vndergoe the Suit in his place;  
and also enter into bond with two sufficient Sure-  
ties, to performe whatsoeuer Sentence shall passe  
against him. And if the Gouvernour and Councell  
see probable cause to conceiue, that the Suit is set  
on foot vpon malice, and to stop the Defendant  
from his intended iourney: in that case the Plain-  
tiff shall likewise giue good security to pay to the  
Defendant double costs and damages, if the Sen-  
tence passe not against him.

139.

The Gouvernour is to hold two generall Sessions  
in euery yeere, at times to be appoynted by the ge-  
nerall Assembly hereafter mentioned: whereunto  
euery Tribe shall send sixe men chosen by them-  
selues to serue for that Tribe, and the common  
Land twelue: and all other having businesse, or  
summoned by the Gouvernour and Councell, may,  
and shall repaire thither, and make their appear-  
ance. And no man shall depart till the Sessions be  
ended, without leaue of the Gouvernour.

140. The

and a sufficient sume sent by some convenient dayes and yeres  
Hath and maye do by the said dayes and yeres.

140.

The Gouvernour shall also, in euery second yeere  
once, hold a generall Assembly, for the making of  
Lawes and Orders for the particular necessities and  
occasions of those Islands, and the Inhabitants  
thereof, and for the ordering of other important  
busynesse; which Lawes and Orders shall no fur-  
therforth be of force and validity, if they receiue  
not confirmation afterward in a Quarter Court  
heere. In this Assembly, the Gouvernour shall sit as  
President, to moderate the Assembly, and shall  
haue a Negatiue voyce. The Councell shall sit next  
to him, and each haue his severall voyce: but if they  
all ioyn in one opinion, that also shall haue the  
force of another Negatiue. And lastly, each Tribe  
shall by Election send out fourable persons, to re-  
present that Tribe: and the Occupiers of common  
Land, eight; who shall haue likewise free voy-  
ces in that Assembly; where all things shall bee e-  
stablished by plurality of voyces, the foresaid Ne-  
gatiues reserved.

141.

Lastly, it is the Gouvernours duty, to oversee all  
inferior Officers that they performe their duties.  
To which end he shall minister a formall Oath to  
all other Officers and inferior Ministers in the said  
Islands whatsoeuer, for the iust, true, and faithfull  
discharge of their severall places, duties and ser-  
vices.

G 3

142. The

142.

The Gouvernour shall not impose any Fines or Amercements for his owne behoofe: But all Fines, Amercements, Forfitures, and Confiscations shall accrue to the publike seruice of the Plantation; or to such other vses as are before, or shall be hereafter particularly expressed; to be levied and kept by the Sheriff, and to be expended or paid ouerby direction of the Gouvernour and Councell.

143.

The Gouvernour shall not lay any Taxes or Impositions vpon the Lands in the Summer-Islands; or vpon the People or Commodities, otherwise then by the authority of the generall assembly; to bee levied and employed as the said Assembly shall appoint.

144.

The Gouvernour shall not withdraw the Inhabitants from their priuate labours, to any seruice of his owne, vpon any colour whatsoeuer. And in case the publike necessity require imployment of many hands, before the holding of a generall Assembly to giue order for the same: In that case, the levying of men shall be done by order of the Gouvernour and whole Body of the Councell, and that in such sort, as to be least burthensome to the people, and most free from partiality.

145. The

145.

The Gouernour shall not grant leaue to, nor suffer the Tenant or servant of any man to returne into *England*, or otherwise to depart from the occupying of his Landlords or Masters Land, before the time of his Couenant be fully expired; except the Owner of the Land, vnder his hand and Seale giue coasent thereto.

146.

The Gouernour also, in quality of Captaine Generall, shall haue care that the people be trained vp to Military seruice: and shall from time to time giue seasonable aduertizement, for prouision of Shot, Powder, and other Ammunition to be made. Hee shall also haue yeerely a generall Muster or view of Armes: And shall yeerely returne to the Company a list of the names of all the trained Bands, together with a Certificate of all defects whatsoeuer.

147.

The Gouernour shall not forsake his charge, nor depart our of the *Summer Islands*, during the time of his Commission, without especiall Licence of a Quarter Court heere, vnder paine of being disfranchised for euer as an vnworthy person; and further censured and proceeded against, as by a generall Court shall be thought meet.

148. If

148.

If it happen the Gouvernour of the Summer-lands to dye, before the expiration of his Commission, or arriuall of his Successor; in that case the whole body of the Councell shall assemble together, and chuse any of them selues to succeed in that place of Gouvernment: vnlesse, or till such time as the Company take other order. The like course shall be held for all other Principall Officers.

---

### Sheriffe.

---

149.

XX. **T**He Sheriffe's Office shall be, to see, or cause the Judgements of the Gouvernour and Councell, especially those at the generall Sessions, to be put in due execution. At which Sessions hee shall also impannell the Iuries with all indifferency.

150.

He shall also leuie, or cause to be leuied, all Fines, Amercements, and other forfaitures whatsoeuer; and all Taxes and Impositions lawfully assessest. And the same in quality of a Treasurer to the Colony, shall keepe or conuert to the most profit for their vse, and shall expend the same for no other then publike seruices; and that by direction from the Gouvernour and Councell; and shall openly at euery Sessions deliver vp in writing, a true account of

of all such his receipts and disbursements. The allowance for his charges, as well in executing the foresaid Judgements, as also in levying the said Fines, Amercements, Forfitures, Taxes and Impositions shall be such, as by the said generall Assembly shall be set downe.

151.

Hee shall also in quality of a Treasurer to the Company, carefully collect and leuie all such profits, as shall any way belong to the Company, by reason of the Royalties and other Commodities to them reserved, or by reason of any forfitures due to the Company: and shall cause them to bee yeerely transmitted to the Company, together with his account; for which hee shall receive from them an extraordinary reward. The like shall hee do for the forfitures due to the particular Owners of Lands.

152.

All Shot, Powder, Armour, and other Ammunition whatsoever, with all other publike prouisi-  
ons sent from the Company to the Summer-lands, shall be consigned to the custody and charge of the Sheriff; who shall not deliver out the same, or any part thereof, but by order, either from the Company here, or from the Gouvernour and Councell there, whereof the said Sheriff shall yeerely give vp a true and perfect Account in writing, as well to the Gouvernour and Councell there, as also to the Gouvernour and Company here. And if any Officer or other person, by himselfe, his Servants or Agents,

H

shall

.IXX

shall sell away any of the publike provision of Shot, Powder, Armes, or other Ammunition, to the wrong of the Company, he shall make restitution to the double; and being an Officer, make forfai-  
so of his place.

153.

Lastly, the Sherifffes duty is once at least euery Quarter, and oftener if there bee cause, to visit the eight Tribes, as also the publike Lands, and all the severall parts both of the one and other; and by diligent enquiry, to see how as well these Orders of the Company, and all other instructions, as also the contracts and agreements betweene the severall members of the Company, and their Tenants or seruants, are obserued: and with the aduice and assistaunce of the Ouerseers of the Tribes, and of the chiefe Masters of Families, shall proceed to the reforming and rectifying of what is found amisse, according to such Orders as shall be established. And if any man be found intractable or incorrigible by the Sheriffe, hee shall be summoned by him to appeare before the Gouvernour and Councell, either at the generall Sessions, or otherwise, as the cause shall require.

## Ministers.

### XXI.

The Ministers being to be four, shall haue their Churches and Parishes thus placed and diuided. The first Church shall be at S. Georges Towne: and that Parish shall extend ouer all the publike Land,

Land, saue that parcel which adioyneth to *Harrington* and *Hamiltons* Tribe on the Maine. The second Church shall be on the said publike Land fast adioyning to *Harrington* & *Hamiltons* Tribe: and that Parish shall extend ouer that part of the publike Land, being as is said before, on the Maine; as also ouer all *Harrington* and *Hamiltons* Tribe, and *Smiths* Tribe. The third Church shall be in *Pembroke* Tribe, vpon the two shares there bought for Glebe Land to the Parsonage: and that Parish shal extend ouer *Pembroke* Tribe, *Devonshire* Tribe, and *Page's* Tribe. The fourth Church shall be on the Confines of *Southampton* Tribe, and *Sandys* Tribe: And this Parish shall extend ouer *Southampton* Tribe, *Warwick* Tribe, and *Sandys* Tribe, Neare adioyning to these Churches shall the Parsonage houses be build. And for the better yeerely maintenance of the Ministers, ouer and aboue their houses, Glebes, and Tenants as aforesaid: It is ordered, that there shall bee apportioned to them, out of the fruits of the earth, and Cattell, growing and renewing within their severall Parishes, a certaine portion by way of charge vpon euery Share or Farme; so as to make vp each Ministers Intertainement in that kind, to the value of one hundred pounds a yere, or thereabout. Which value of one hundred pounds the yeere, shall commence at the end of seuen yeeres after the making hereof. And in the meane season, the proportion for their yeerely maintenance, besides the said Glebe Lands, shall bee such as shall bee agreed vpon betwene the Company and the severall Ministers.

155.

Whereas the Owners and Occupiers of the Land, haue of their owne voluntary gift, offered the hundredth part yearely of all their Tobacco, towards the building of the said Churches and Parsonage houses: it is ordered that the Ouerseers of euery Tribe, as also of the common Land, shall yearely collect the same, and deliuer it vpon account to the Sheriff, who by aduice and direction from the Gouvernour and Councell, shall take order for the erecting of the said Churches and houses; and faithfully expend that which shall arise by the said Collections vpon the vses aforesaid; and therof deliuer vp a yearely account to the said Gouvernour and Councell: who shall transmit the same, or a copy thereof to the Gouvernour and Company here. The works being finished, the Gift also shall cease.

156.

The Ministers shall diligently apply their vocation, and shew themselves Patternes of piety and vertue to the people. They shall by helpe of the Ouerseers of the Tribes, and other chiefe men in their Parishes, indeuout to reforme all disorderly persons. If any appeare incorrigible, he shall be presented to the Gouvernour and Councell; who shall proceed to reformation by exemplary punishment, according to the quality of the Offenders misde-  
fets.

157.

For the auoyding of Sects and Factions in Religion,

ligion, the Gouvernour and Councell shall be carefull to supprese by course of authority, all factious and seditious Preaching, teaching, and disputing, as well in priuate, as publike.

### *Secretary in the Summer-Flands.*

158.

**T**HE Office of the Secretary, is to keepe or cause to be kept a Register-Booke of the Decrets and Orders of the Councell there; and to deliuer to the Sheriff, and other Officers to whom it shall appertaine, a Copy of such of them as are to be published, or to be put in execution.

159.

It is also the Secretaries Office, at the Generall Sessions, to performe, or cause to be performed, the Office of Clarke of the Peace, and Clatke of the Assises: and to haue care that all Trials doe passe in due forme of Law; and to keepe a Register Booke of all the verdicts and Iudgements: and to deliuer to the Sheriff a Copy vnder his hand, of such of them as are to be put in execution.

160.

The Secretary shall also in all the generall Assemblies, hold the place of Speaker; and haue care that all things proceed and passe in due order: and shall keepe a Register Booke of all the Acts there passed,

XXII.

being first signed by the Gouvernour and the Coun-  
cell present. 161.

It is also ordered for the present time, till a more  
conuenient course may be taken, that the probate  
of Wills, committing of Administrations, and all  
other Acts incident to Testamentary causes, shall  
be annexed to the Secretaries Office: who shall like-  
wise keepe an exact Register of them. The Ministers  
also in their severall Parishes, shall deliver vnto the  
Secretary at euery generall Sessions, a true note of  
all the Christenings, Marriages, and Burials, which  
haue been in their Parishes from the generall Sess-  
ions last before; which the Secretary shall likewise  
enter in a Booke, and shall send a Copy thereof  
yeerely to the Company. 162.

The Secretary at the arriuall of euery Ship at the  
*Summer-Islands*, shall make a true list of the names of  
all the people the arriuing with intent to continue  
and inhabite in the said *Summer-Islands*, of what sex,  
age, and Trade they are, and vpon whose account  
they are sent. And likewise at the departure of eu-  
ery Ship shall make a like list of the names of all the  
Inhabitants that depart therein, with their sex, age,  
and Trade, and whose Tenants or seruants they  
haue formerly bin, together with the cause of their  
departure. Both which hee shall enter in a Booke  
there to be kept, and a Copy thereof shall transmit  
to the Company by the severall Ships returning.

163. Lastly,

163. *Lastly, it is the Secretaries duty, to bee assisting to the Gouernour, as well in dispatch of all Letters and other writings to the Company; as also in publishing all Orders, Commissions, and other directions whatsoever; which the Gouernour there shall receive from the Gouernour and Company here; and to have care with the Gouernour, that the said Orders, Commissions and directions be duly executed; and that thereof a seasonable account be given to the Gouernour and Company here.*

164.

*The Secretary, for his seruice at the generall Sessions, and at the generall Assemblies, and for Testamentary causes, shall have such Fees as shall bee set downe by the generall Assembly.*

---

*Captaines of Forts.*

---

**T**HE Captaines of the Forts ought to bee men **XXIII.** discreet, and commended for fidelity. They are also to bee expert Gunners, and trained vp in Military seruice. Their duty is to haue care of the safety of the Forts committed to their seuerall charges, and that they bee well furnished with all necessary prouisions. There shall be also assigned by the Gouernour and Councell, a competent number of the publike Tenants to the seruice of

of euery Fort, to be trained vp to that Seruice, and to be alwaies in readinesse when occasion shall require: which Tenants, in consideration of that attendance and seruice, shall pay to the Company only a fourth part of their yeerely profits. If any of the Captaines of the Forts die there, his place shall be supplyed by appointment of the Gouvernour and Councell there, till such time as the Company here proceed to a new Election.

---

### Ouerseers.

---

166.

XXIIII. **O**ut of the sixe persons sent yeerely from euery Tribe, to serue for that Tribe at the generall Sessions to be held in the Spring or former part of the yeere, the Gouvernour and Councell shall chuse out two, to haue th<sup>e</sup> place of Ouerseers of that Tribe for the yeere ensuing. And the Gouvernour shall openly in the said generall Sessions, minister vnto them a formall Oath for the due execution of their Office. Prouided alwayes, that at the humble petition of any Tribe, the Governor and Councell, if they so thinke good, may continue either one, or both of the Ouerseers of the former yeere, for the yeere also ensuing. Like course shall be held for the Ouerseers of the publike Land in all poynts. Prouided alwayes, and it is reserved to the power of the Company here, to place such Ouerseers there from time to time, as they shall please to elect and nominate in any of their Quarter Courts.

167. The

The dutie of these Ouerseers, is in their severall charges, to diuide with an even and iust hand be- tween the owners and their Tenants, all the Tobac- co and other Commodities growing within their charge. And to the end that they may better inform themselues what Crop is like to bee received out of the whole Tribe, they shall, about 14. daies be- fore the vsuall time of gathering their Commodityes, generally suruay all the Ground so planted throughout, and diligently obserue what quantity each Tenant or Seruant hath planted; and the same register in a booke ; a Coppie whereof, as like- wise of the Diuident, they shall send vnder their hands vnto the Company here. When the diuision is made betweene the Owner of the Land and his Tenants or Seruants, as iustly both for quan- tity and quality as they can : They shall cast Lots vpon the Moities, and take that part for the Ow- ner which shall fall vnto him by Lot. Which done, they are likewise to haue faithfull care, that the Ow- ners part of such Goods as are fit, or shall be direc- ted to bee sent, bee ducly packt vp sealed and conuiced to the Ship, ( vnlesse the Owner vnder his hand and Seal giue other direction, ) to bee sent to the Company here, or as the Company shall direct. Other Goods vnsit to be sent by Sea, they shall dispose of as the Owners shall appoint. Pro- vided alwaies, that the Tobacco to bee diuided, be cured and made vp in best manner, before the said Diuision bee made. And concerning the To-

I tobacco.

bacco and other Commodities of the growth of the Ouerseers themselves, the same course shall be held, as well for diuision thereof betweene them and their Landlords; as also for disposing of the Landlords Moity in maner aforesaid. Saue that the diuision of the Tobacco, and Commodities of the one Ouerseer, shal be performed and perfized by the other reciprocally.

168.

These Ouerseers also, in their severall charges, shall diligently enquire what Debts are owing by Tenants or Seruants, to their Landlords. To which end the Landlords shall acquaint the Ouerseers, with the severall Contracts betwixt them and their Tenants or Seruants. All which hereafter, for the avoiding of fraud or quarrell, shall passe by Indenture. And the said Ouerseers, after the division once made, shall cause satisfaction of the Debts appearing to be due, to be made to the Landlords, before they deliuer the Moity due to the Tenants or Seruants: Provided that there be alwaies meanes left of liuelihood and subsittance, to the Occupiers of the Land.

169.

And to preuent all wrongs on either side, betweene Landlords and Tenants or Seruants: It is ordered, that the Gouvernor at euery Generall Sessions, shall charge the Grand Jury, to enquire by all lawfull meanes of such defaults: and especially to enquire if any fraud haue beeue committed by

by the Tenants or Seruants, in concealing or se-  
cretly conueighing away any of the said profits to  
be diuided, before diuision of the same be made.  
And after presentment made, and tryall therof had,  
the Gouvernor there shall cause a true and perfect  
Certificate thereof to be made vnto this Compa-  
ny, vnder the Iutors hands. And for the better dis-  
couverie of all such misdemeanors, It is ordered that  
all the Ouerseers in euery Parish, shall once every  
Quarter meeke together at their Parish Church,  
and warne euery Parishioner to be there: thereby  
to learn what presentments shalbe made of the said  
misdemeanors, or any other of the like nature; the  
better to prepare that generall information. And  
in case any such purloyning, imbezelling, deceit or  
fraud shall bee proued, and the Tenant or Seruant  
thereof found guilty, the person so offending, ei-  
ther presently, or so soone as he hath wherewhile so  
done it, besides restitution, shall bee compelled to  
pay one fourth part of all the Tobacco, or such  
like profits which he hath or shal haue growing the  
same yeere; to be seized vpon by the said Ouerseers  
in their seuerall charges: which fourth part being  
subdiuided into threc parts; the one part shall be  
to the Landlord or Master of the said Tenant or  
Seruant, another part to the said Ouerseers, as an in-  
crease of their Salarie, and a third part to the Infor-  
mer or Informers. The like penaltie shalbe for any  
wrong done by the Landlord or Master to his  
Tenant or Seruant.

170.

It is the dutie also of the Ouerseers, to take vp all peticie controwersies, and to enforme the Gouernour and Sheriffe of all matters of greater importance: To see the people diligently and discreetly to apply their busynesse: To acquaint the Sheriffe from time to time, of the estate of each Tribe; what persons there are on each Owners Land: what bee their names, and what their indeuours; and in what estate their Farmes doe lye, that the same may bee yeerely certified by the Sheriffe to the Company. They shall also haue care, that the seuerall Lands or Farmes be wel vsed, and occupied in husbandly manner by the seuerall Tenants and Seruants: That the houses be maintained and kept in repaire: And that the Timber be preserued, according to the Orders concerning it.

171.

The Ouerseers, in regard of their great care and paines, if they performe their dutie according to their Oath, shall haue two in the Hundred waight of all the Tobacco growing within their precincts, to be taken out of each Moitic at the diuision made as aforesaid.

**Councell.**

*Councell.*

172.

Of the Officers aforesnamed, the Gouvernor shall haue a Councell to assist him, which shall bee ordinarily these: The Sheriffe, The two Ministers planted on the publike Land, The Secretary, Two Captaines of the chiefe Forts, & the first of the Ouerseers of the publike Land. Neuerthelesse at the Generall Sessions, and vpon other especiall and extaordinary occasion, there shall sit with the Gouvernour, as being of the Councell, the other two Ministers, and the first of the two Ouerseers of euery Tribe. There shall bee also of the Councell, all such as haue held the places of chiefe Gouvernours or Sheriffes of the said *Summer-Islands*, and haue worthily for their times discharged their Offices, and not beeene censured for misdemeanors, either by the Company here, or by such Commissioners as shall bee sent from hence with such authority. Lastly, it is in the power here of a Quarter Court, to appoint any other particular person to be of the Councell there, whom they shall please to choose.

XXV.

173.

It shall not bee counted an Assembly of the Councell, vniuersall that foure of them, or three at least bee present, beside the Gouvernour; and that

without practice or purpose to exclude the rest.

174. VII It is the dutie of the Councell there, to be assisting to the Gouvernour with their faithfull and carefull aduice, both for the strength and safegard of the said Islands ; and for the well Gouvernement of the people : as also for the due administration of Justice in all causes brought before them : and for the obseruance of all the Lawes and Orders deliuered unto them by authority from hence, and such other particular Instructions as from time to time they shall receiue. To the performing of which dutie, the Gouvernour shall administer to euery of them, at his admittance to be of the said Councell, a formall Oath. And in all meetings of the said Councell, Resolutions and Judgements shall passe by plurality of voices : Onely the Gouvernor shall haue both two voices, and also a casting voice in the said meetings.

VIII The Gouvernour, with the whole Councell, shall sit as Judges or Iustices in the Generall Sessions. Wherin by agreement amongst themselues, they shall publish to the people what times they will hold for their ordinary hearing of causes and administration of Justice, in all such matters as shal come or be brought before them : which times they shall not faile duly to obserue. Neuerthelesse, it shall be lawfull for the party grieved, to appeale from any Sentence given by the said Gouvernour and Councell, to a more solemne triall at the next Generall

ral Sessions. Yet so, that hee putt in good securitie, to pay double costs and charges to the party at variance with him, if the matter passe against him at the said Generall Sessions, be it either by the verdict of Iury, or by the judgement of the Gouvernor, and whole body of the Councell, as in cases of equity, and not tryable by Iury. The same Law shall be for all other appeals whatsoeuer.

The pleading of all causes both Ciuitall and Criminall, shall be *ore tenus*, and plaine. The parties by themselves, or by their more able friends declaring and alleaging what they haue to say each for themselves: And the Witnesses shall bee present, and heard *vincere vocem*, being first sworne. Only the sentence shall be fully set downe in writing, and registered in a Booke to be kept for that purpose.

## Inferior Officers.

177.

THE Gouvernor and Councell shall, at their meeting at the General Sessions, chuse & appoint all other Inferior Officers, necessary either for the due and speedy administration of Justice, or for other publike seruice in the said Summer-lands, whose fees shalbe such & no other, as shalbe rated & set downe by the General assembly from time to time. Which Generall Assembly may also at their pleasure,

alter and reforme the said Officers and Offices, with reference alwaies to the pleasure of the Company here, as is before expressed.

178.

In like sort the Inhabitants of euery particular Tribe, as also of the publike Land, being assembled by the Ouerseers respectiuely, shall haue power to chuse such inferiour Officers, for the behoofe and seruice of the said Tribes and publike Lands respectiuely, as they shall finde necessary, with allowance of such Fees from the said Inhabitants, as they shall agree on: Which shall be subiect to the Confirmation or reformation of the said Generall Assembly, in manner before deliuered.

---

### Commissioners.

---

179.

xxvii.  
IVXX

The Gouernour and Company here, by Order in a Quarter Court, shall once in three yeeres, if they thinke it so expedient, send or appoint Commissioners for the said *Summer-Islands*; Men fearing God, Men of graulty, wisedome, courage and integrity vntroubled, to examine the actions, as well of the said Gouernour and Councell, as of all other Officers, or which in former times haue borne Office within the said Islands: Who shall also haue power, according to the tenour of their Commission,

Commission, to proceed to the censuring and reforming of all Delinquents: and the said Commissioners, during the time of their Commission, shall be exempted from any Iurisdiction ouer them in the said Islands: and of all their proceedings, they shal from thence, or at their retурne, make due Certificate to the Gouernour and Company here.

---

## Inhabitants.

---

180.

**T**He Inhabitants of the *Summer-Islands*, shall duly frequent the seruice of God, and thereat behaue themselues with all decency and reverence, vnder a penalty to bee set downe by their generall Assembly. The Masters also of Families, shall by aid and direction of their Minister, see their children, Seruants, and other Cohabitants, brought vp in the true knowledge and feare of God, in the hatred also of vice, and exercise of piety and vertue.

XXVIII

181.

They shall carry themselues loyally both in deeds and words towards the *King*, his *Heires* and *Successors*. They shall also behaue themselues reuerently and dutifullly, as well toward the Gouernour and Company here, as also toward the Gouernour and Councell there; vnder penalties to be set down by the generall Assembly. If any man suppose himself to haue iust cause of gricuance, he shall not by

K

mutinous

mutinous speech raise discontent also in other men; but exhibite his Petition or Complaint to the Gouvernour and Councell; who shall transmit the same to the Gouvernour and Company here, from whom he shall receive right and justice without delay.

182.

The Tenants or Seruants shall not by vncerent speech or writing abuse their Landlords or Masters, vnder a penalty to be inflicted vpon them by a great and generall Court heere. But hee that hath cause of complaint, shall exhibite his Petition in manner aforesaid.

183.

If any of the Company heere, by any ministeriall means seeke to oppresse or wrong any of the Inhabitants there; after complaint made and proved, either before the Gouvernour and Company heere, or the Gouvernour or Councell there, and certified hither, as the case shal require, besides the forfeiture aboue mentioned in the said Summer-Islands, wherof one third part shall be to the party grieved; hee shall be also severely proceeded against in a Quarter Court heere.

184.

If any man be a Common Swearer, or profane abuser of the Name of God, if after lawfull admonition by the Magistrate or Minister, hee doe not reforme himselfe, besides other due punishment, hee shall be declared infamous.

185. If

185. Established by the Council of 1559. To be read with the following Article.

If any man of vnquiet and contentious spirit, be a common rafter of quarrels or brabbles amongst neighbours; besides other penalties to be inflicted according to Law, he shall be condemned by the Gouernour and Councell to be a person infamous.

186. Established by the Council of 1559. To be read with the following Article.

A person by lawfull Sentence condemned and declared to be infamous, shall, during the time hee so continueth, be vncapable of any Office of dignitie or command: But in Offices ministeriall, and of toyle only and labour, he may, and shall be employed. He shall not sit or stand in the Church with the rest of the Congregation, but in a lower place apart by himselfe: and in all other Assemblies, he shall alwayes sit or stand in the meanest place. His testimony shall not be received in any cause or busynesse. If he commit any crime, or breake any Law or Order, his punishment shall be double to that of another man in the like case. If he presume to doe any thing contrary to this Order, hee shall indure sixe dayes strait imprisonment for the same. And every person declared to be infamous, shall so continue, till hee publikely declare his repentance and reformation at a generall Sessions; and thereupon be discharged from his infamy.

187. Established by the Council of 1559. To be read with the following Article.

If any man being of an idle and vaine disposition, forsake his labour, or other busynesse, and thereby giue example to other men to doe the like:

he shall be admonished thereof by the Sheriffe, or Ouerseer. If after admonition he persist in his idle course of life, he shall be declared infamous. But if the same person become also a wandefer or vagrant from the due place of his seruice: hee shall for the first time be onely admonished; but for euery offence after, he shal by order of the Sheriffe or Ouerseers, be scourged on the naked backe at the whipping post, as a Rogue; and the entertainers and relievers of euery such wandring person, or of any Fugitiue from the busynesse of his lawfull Landlord or Master, shall for every time or day of such entertainment, forfeit ten pounds of Tobacco, or to the valew thereof: whereof the one Moity shall be to the vse of the Landlord or Master so wronged, and the other Moity shall be to the vse of the publicke workes of the Plantation.

188.

If any man be a Drunkard, or a common haunter of Tippling-houses; if after admonition he doe not reforme himselfe, besides other due penalties; he shall be declared infamous. And the Gouvernour and Councell shall in their generall Sessions, from time to time, take especiall care for limiting the number, and reforming the abuses of all Hosteries, Tauernes, or Drinking-houses, of what kind soever.

189.

If any man be a common spender of his time in dicing and carding, or other vaine or vnlawfull gaming; or vse the same at times vnseasonable; hee shall be declared infamous.

190. Who-

190.

Whosoever shall in brauery of apparell exceed his degree; if after admonition he doe not reforme the same, he shall in all publike burthens beare the double to any other.

191.

The Sheriff and Overseers of Tribes, shall take diligent notice also of such persons, as by their orderly and industrious course of life, giue good example vnto those amongst whom they liue: whereof, and of their other good parts and abilities, they shall giue information to the Gouvernor and Counsell from time to time, who upon that, and such other information as they shall take, shall aduertize in like sort the Gouvernour and Company beere of the men of best quality, good carriage and sufficiency in the said *Summer-Islands*: that the Company may accordingly preferre, or otherwise reward persons of good sufficiency and well-deserving.

192.

No Tenant or Servant, set out and furnished by any Owner of Land according to their mutuall agreement, shall, during the terme contracted for betweene them, shifte his Master or Landlord, or occupie any other mans Land, or come away from the said Islands, without his Landlords or Masters consent in writing vnder his hand and seale.

Whosoever shall by any perfwasion whatsoever,

intice or withdraw the Tenants or Seruants of any Owner of Land, to forsake the occupying of the said Owners Land, shall forfeit the one Moity of all his part of Tobacco, or other profits growing in that yecrc; whereof two third parts shall be to the Owner of the said Land, and a third to the Informer. But if any man shall feeke to draw away any of the Tenants of the publike Lands; bee shall forfeit the double of the foresaid forfeiture, to bee levied part in that yecrc, part in the yere ensuing. Of which forfeitures, two thirds shall bee to the vse of the Company, and one third to the Informer. And the Tenant or Seruant so inticed or withdrawne, or withdrawing himselfe, shall be immediately returned to the said Owners or publike Land, as the case shall require.

## 194.

No Tenant or Seruant shall alienate, lend, or let to hire any Apprentice or Seruant, prouided, sent, or contracted for by the Landlord, or Master, to be placed and employed vpon his owne Land, without leaue first obtained from the Owner of the said Land, in writing vnder his hand and Seale. The Offender shal forfeit one hundred pound of Tobacco, and in want of Tobacco, other goods to the like proportionable valew, to be levied to the vse of the said Owner or Landlord: and the said alienation, hiring, or lending out, shall be vtterly voyd: and the said Apprentice or Seruant shall bee returned to his first place, imployment, and seruice.

## 195. If

195.

If any Tenant or Servant, being sent ouer to the Summer-Lands by his Landlord or Master, to be imployed vpon his Land there, shall afterward betake himselfe to some handicraft trade, or other course of life, and either in whole, or in great part neglect the occupying of his said Landlord or Masters Land: he shall pay vnto his said Landlord or Master, during the time of the Contract with him, the Moity as well of all the profits by his other earnings, as of the profits of the said Land which he shall occupy, to be rated, assised, and levied by such waies and meanes as shall be set downe in the general Assembly.

196.

If any man marry the Maid-Servant of any Owner of Land, or the Widow of any of his Tenants, or Servants sent ouer to inhabite vpon his Land there; he shall by the Gouvernour and Councell pay d to the said Owner, the ratable part of furnishing out, and transporting the said Maid-Servant or Widow, consideration being had to the time that shee hath serued her Master, or the owner there.

197.

It shall not be lawfull for Tenants or Servants to abuse the Owners Land on which they are placed; but they shall vse it in an orderly & husbandly manner, according to the Owners directions, or according to such directions as they shall receive, either from

from the Gouvernour and Councell, or from the Sheriffe and Ouerseers in their severall charges: who shall take the well-ysing of the Lands in the Summer-*Islands* into speciall consideration. The Transgressor, after admonition and direction, shall forfeit the one Moity of his profits for that yere, to the vse of the Owner of the Land abused.

198.

The making and repairing of the Forts, also of Bridges, and Highwayes, and the prescruing of the bounds of euery mans Land, shall be performed in such sort, and by such meanes as the generall Assembly shall appoynt.

199.

The Gouvernour and Councell shall take into consideration the building of houses in the said Islands, and giue order that they may bee strongly and durably built; and being built, that they be wel maintained and kept in repaire. The execution of which order, and Survey of the said buildings, shall be committed by them to the charge of the Sheriffe and Ouerseers, or such other as they shall thinke meet to appoynt. The violater of this Order shall be censured and punished at the discretion of the Gouernour and Council, at their next general Sessions.

200.

No kind of Timber-wood growing in the said Islands, shall be vsed for firewood, vnder the penalty to be set downe in the generall Assembly, ouer and aboue

above the double valew thereof to be forfeited to the Owner of that Land.

No Tenant or Servant shall cut down any Timber trees, but vpon a Survey and setting out thereof by the Overseers respectively: which Timber so cut downe, shall be laid vp and preserued for the building of houses, and other necessary vses with the Owners consent.

The transgressor of this Order shall be amerced at the discretion of the Governor and Countell; whereof the one Moity shall bee to the Owner of that Land, and the other to the publike seruices of the Plantation.

The Timber of the Land of one Owner, shall not be carried from thence to the Land of any other, or to the vse of any other person, without the Owners consent vnder his hand and Seal, vnder paine of the double valew, to be forfeited to the Owner, and leuied to his vse. But if necessity require, that the Timber growing vpon any private mans Land, be taken for publike vse of the Company and Colony; the Owner shall be paid for the same by the Company or Colony, according to a true estimate by an indifferent Jury.

The Inhabitants shall not dye for muche scatored on syngelone seafel alwaies but draw their selues to sea in a Family at the least, where it may conveniently be, so to easse, and woth cogitac.

204.

Neither shall they wholly apply themselves to the planting of Tobacco; but rather to other more stable and solid Commodities, as the Gouvernour and Councell by directions from hence, or as the generall Assembly shall appoynt.

205.

All bad, rotten, and otherwise vnwholesome or unmerchantable Tobacco, being tryed by order infacted in their generall Assembly, shall be publikely burnt, vnder such penalties for concealing of the said bad Tobacco, or neglecting to put the said Order in due execution, as by the said generall Assembly shall be set downe. And if the badnesse of the said Tobacco haue happened meerly by the negligence or other default of the maker thereof: hee shall bee bound to continew in occupying of the Land where the said Tobacco did grow, one whole yeere longer then his contract with his Landlord; and so toyes quoties, in recompence of the said Landlords losse vndeservedly sustained.

206.

It is ordered that euery Tribe, at the common charge thereof, shall build a sufficient Storehouse with two roomes; the one for keeping Corne, the other for their Arms: and that each man be provided of one Sword and Pece at the least: and that all Peeces be of two sorts, Calliuers, and Muskets; and of one kind of bore, to auoid confusion by

diuersity of moulds and bullets. And the Inhabitants of every Tribe being assembled by the Overseers, shall agree amongst themselves for the safe and cleane keeping both of the said Corne and Armour; that the one may bee sweet, and the other bright and serviceable. In defect whereof, the Gouvernour and Councell shall set downe a certaine Order for the same; which the Sheriffe shall see put in due execution.

207.

It is likewise ordered, that for the preventing of dearth, each Family sowe or plant a conuenient quantity of Corne, according to the proportion that the generall Assembly shall set downe. Of which Corne, a certaine quantity (to be rated likewise by the said generall Assembly) shall at euery Haruest, being well conditioned, bee brought into the publike Stores before mentioned: which at the Haruest of the next yeere shall bee faithfully deliuered out to the true Owners therof, at their bringing in of new Corne of like quantity to the same. Provided alwayes, that in case of generall scarcity, the Corne in the said Store-houscs may bee deliuered out to the Deliuerers in thereof, before the time of Haruest; or to others that shall bee prest with greater need, satisfying the Owners according to the true valew thereof. The penalties for neglect or breach of this order, are likewise referred to the generall Assembly.

XIX

208. Where

208.

Whereas by reason of divers uncertainties and difficulties, through the great remotenesse of the *Summer-Islands*, the particularities of sundry matters mentioned in these Lawes, are referred to such further Orders, prouisions and penalties, as by the generall assembly to be held in the said Islands, shall be thought iust and expedient: It is therefore ordered, that the Gouvernour of the *Summer-Islands* which shall bee sent thither next, doe within one halfe yeere after his arriuall there, hold a generall Assembly: and that therein, according to the trust reposed in him and them, they doe, with graue and mature deliberation proceed to the setting downe of the orders and penalties here referred to them: and thercof, together with the rest of their proceedings, make a full and authenticall Certificate to the Company, to receiue their approbation, or reformation, as there shall cause appeare.

209.

XXIX.

IT shall be free for all the members of this Company, to trade into the *Summer-Islands* with the Colony there, by Commission from the Gouvernour and Company here; which shall be denied to no man: and according to such Orders as the Company shall finde expedient for behoofe of the Colony.

lony. Provided notwithstanding, that if any man be found by himselfe, his Factors or Agents, to vs  
any fraudulent or oppressive course to the wrong either of the Inhabitants there, or of the Owners of  
the Land: in that case the Company shall inhibite  
the party so offending, whether by himselfe, or by  
his Factors, or Agents, from trading to the said  
Islands, during the space of five yeeres then next en-  
suing; and vnder such penalty as shall be set downe  
in a great and generall Court. And for the better  
discouery of all fraud and oppression, the Cope-  
Merchant or Factor for every publike ioynt-stocke  
or Magazine, shall keepe a true Booke of the sale of  
all the Commodities then sent and transported to  
the Summer-*Islands*, expressing both to what per-  
sons, as also in what quantities, and at what prices  
they shall haue bin sold: which Booke shall be pre-  
sented to the view and consideration of a gene-  
rall Court.

XXX

If in any ioynt-stocke for a Magazine to be here-  
after erected, the Generall Company, out of their  
common Cash beare part as an Adventurer: they  
shall ratably partake like profit, and vndergoe like  
losse, with other Adventurers: and any Order to  
the contrary shall be void: In which case also the  
Court shal appoint the meetings for the Magazine.

The Gouvernour and Company beere, as also the  
Gouvernour and Companetts residing in the Summer-  
Islands,

*Illands*, shall from time to time haue especiall care, that as well the Passengers to and fro, as also the Inhabitants in the *Summer-Illands* maintaine friendship and good correspondence with all other Nations being in league or amity with his Maicity, and the Crowne of *England*; and that they forbear all hostile or iniurious acts or attempts against them, or any of them, in their persons, Possessions, Lands, Goods, or businesse, vpon penalty to be proceeded against as Malefactors in the highest nature, and disturbers of the generall peace establisched by his Maicity.

---

### *Land in Virginia.*

---

XXX.

**V**Hereas the Company for *Virginia*, in consideration of the great defect of the quantity of Land in the *Summer-Illands*, conceiued to haue been at the time of the sale thereof to this Company, and to make recompence for the same, haue ordered in one of their great and generall Courts, that there shall bee granted by them, and vnder their Legall Scale, a large proportion of Land in *Virginia*, to be and continue to the Company of the said *Summer-Illands*, and the members thereof for euer, for the better support of the said Company, and of the Inhabitants of the said Illands: It is therefore ordered, that a select Committee bee forthwith appoynted, as well to pursue the perfect

(83)

ing of the said Grant; as also to take into carefull consideration, how the planting and peopling of the said Land in *Virginia*, may bee proceeded with in most effectuall sort, and without delay, and as may be most for the support of the said *Summer-Islands*: which Committee shall from time to time reduce into writing, and present to the Courts, their proceedings therein: so to receive resolution and further direction.

---

*FINIS.*

---

• 21/211

